

**District IV Advisory Board
Meeting Minutes
September 4, 2002
www.wichita.gov**

The District IV Advisory Board Meeting was held at 7:00 P.M. at Stanley Neighborhood City Hall at 1749 S. Martinson. In attendance were the District IV City Council Member Bill Gale, seven (7) District Advisory Board Members, five (5) City Staff, and forty (40) citizens.

Members Present

Council Member Bill Gale
Ed Koon
Bea Vickers
Rex Gray
Iola Crandall
Wayne Wells
Jerry McGinty
Jim Benton
Dorman Blake

Special Guest

Council Member Sharon Fearey

Members Absent

Paul Ward

Staff Present

Deb Legge, Neighborhood Inspector Supervisor
Officer Anthony Bamburger, Patrol South
Sharon Fearey
Officer Seiler, Patrol West
Officer Mellard, Patrol West
Dave Barber, MAPD
Aaron Hamilton, Neighborhood Assistant

ORDER OF BUSINESS

Call to Order

The meeting was called to order at 7:02 P.M.

Approval of Minutes

The minutes of August 7, 2002, were approved by a vote of 6-0 pending two changes (**Benton/Koon**).

Approval of Agenda

The agenda was approved as submitted by a vote of 6-0 (**Benton/Blake**).

Public Agenda

The Public Agenda contains requests from members of the public who desire to present matters to the District Advisory Board. Each presentation is limited to a period of five minutes unless extended by the Board.

1. **Office of Central Inspection - Deb Legge**, Neighborhood Inspector Supervisor, gave an update of Neighborhood Inspection activity (Housing, Zoning and Graffiti enforcement) and OCI's role in the removal of graffiti, demolition of property, and neighborhood cleanups. Some statistics of note: OCI has started 874 housing cases in 2002; mailed 4,800 housing notices; conducted 12,153 Housing inspections; 3,800 zoning inspections have taken place

this year; there have been 43 Neighborhood cleanups so far this year, with a total of 79 scheduled; and 4,389 structures currently have cases open on them. They are in the process of changing over to a new enforcement code. OCI is cross-training along with Environmental Health and Community Police. District IV has four inspectors - Dale Johnson, Lisa Kilborn, Andrea Johnson and Jan Lister. They all have at least 2 Council districts where they are responsible for the above.

The following are questions and comments from DAB members. Answers are in italics where applicable.

Ed Koon - How does this compare to last year? *It's lower in housing complaints but higher in graffiti this year by over 700.*

Council Member Bill Gale - With the hotline, have you seen an increase? *Getting a lot of calls on that line.*

Action taken: receive and file.

Public Works Agenda

2. No items were submitted

Planning Agenda

3. Proposed Delano Overlay - Dave Barber, Land Use Supervisor, from the Metropolitan Area Planning Department presented the proposed Delano Overlay. The proposal is to change the zoning on a large part of the Delano neighborhood. This is one of the actions adopted in the Delano Neighborhood Plan. **Dave Barber** deferred to **Ray Rancuret**, president of the Delano Neighborhood Association.

Rancuret explained the rezoning and emphasized property owners have been informed they are not required to be rezoned. The plan is still fluid. There have been some changes since the August 20th meeting. They are as follows: fences now have to be 48" instead of 36" and the Urban Village is not in this overlay area. The City of Wichita is spending \$7 million on the Seneca and Douglas corridors.

Dave Barber explained details of the Overlay District, Design Guidelines and Rezoning. There are two purposes for the changes: 1) to create better zoning that matches existing land use. 2) To create a zoning overlay. No changes are proposed to keep the current owners from continuing their current use. Anyone who files a written complaint will not have their zoning changed and they will be grandfathered in.

Priorities for the Overlay District: **1)** Rezone **2)** Take existing industrial zoning where residences are, so people can repair their property. **3)** Commercial development along Douglas - new zoning would bring current property to what it really is. **4)** Rezone some manufacturing activity that will accommodate current uses.

The Overlay District is applicable to all property but would only affect new development or major expansions. Restricted uses would still be grand fathered in. Design standards have been updated based on recent citizen input.

The following are questions, concerns, and comments from citizens. Answers are in italics where applicable.

- Concerned the letter sent explaining the overlay was confusing.
- If you opt out, do you still have encumbrances such as only expanding 30 %?
Yes.
- No one has a problem with the Delano Plan, but people don't like the overlay.
- There are concerns with the review procedures - availability for new construction, no permits may be issued if not reviewed and falls within the guidelines.
- Concerned no member of the design review committee is a designer.
- Concerned about fences viewable from the street.
- Why is the Urban Village section allowed to opt out?
- Do residents get a chance to vote on the proposed plan?
- There was too much information was given tonight to vote. **Council Member Bill Gale** explained that voting on the issue is up to the Board.
- Concerns arose about Home Owners Association having a list when you buy a home. Feels individual rights are being infringed on as this is retroactive instead of up front.

- **Morris Dunlop, 415 S. Main**, representing the Wichita Independent Business Association (represents 1,700 of the 17,000 businesses in the City of Wichita) and is also a member of the MAPC. Concerned about everyone answering to the Planning Director.
 - o Worried about nothing requiring a zone change.
 - o Does like the Delano Plan but noted all things in the Plan can be done now.
 - o Spoke about tax abatement and small business loan through the city.
- **Larry Brown** worked with the neighborhood committee.
 - o Feels Delano is handicapped by the current zoning.
 - o There is currently the possibility for new development that shouldn't be in a residential area (apartments, businesses) due to the zoning.
- **Mark Westen** - Likes the Delano Plan because of its diversity.
 - o Expressed concerns about submitting plans and about the fence requirements, as he lives across the street from a school and near a liquor store and worries about his privacy, the right to do what he feels is necessary to protect his home, and provide quality of life.
- **Jack Kellogg**, Delano Business Association, noted that fences prevent communication.
 - o He owns a building on Douglas.
 - o The Delano Steering Committee is made up of neighborhood people and is looking to improve it using "Smart Growth" guidelines, which is to "look at the big picture".
 - o They strongly believe it will improve the property value.

- **Ron Pastore, 555 W. Douglas**, who is bringing in the Jesse James museum to Delano, hopes to add to the history of the neighborhood.
 - o He is concerned about the "Eclipse Teen Center" across the street from him. *Council Member Bill Gale - Was at the Eclipse Teen Center. The manager's office is working with Community Police and security is being beefed up.*
 - o Doesn't think cell towers should be in the plan, but he has faith in the long-term plan.
 - o Asked if they are moving too fast?
 - o Look into Phase IV of the City's development plan for answers to the Urban Village and why it is being exempted.
- **Wes Galyon**, explained that currently if you submit architectural plans you pay 60% and then 100% after that.
 - o Currently there are no requirements for current housing plans.
 - o Architects generally copyright work, so, any changes must be made by that architect shifting the cost to property owners hoping to improve their area.
 - o This overlay is essentially a covenant, but the Home Owners Association have the responsibility to enforce it, while this will be enforced by the government, so you will have to ask anytime you want to make a change.
 - o Once this is in place, you have to go through a long, legal process to reverse it.
 - o Thinks the key is to create a way for the people to buy into the plan, but not require it.
- **Jim Martinson, 917 ½ W. Douglas** past president, Delano Business Association, explained the committee tried to hit a middle of the road on architectural guidelines.
 - o He also explained the design review board was originally to be different than presented tonight (three Neighborhood Association, three Business Association, three Clergy Association and one City staff).
- Feels the current code does not limit building in Delano.
- **John Lay**, - from midtown, has sign jobs on 2 sign projects, is there a moratorium? *Council Member Bill Gale - Yes, it covers property with frontage to Seneca and Douglas. There is a moratorium review committee.*
 - o Existing or just new signs? *Call Kurt Schroeder and find out.*
 - o Also addressed sign requirements, thinks it's too small, worried about the burden it will put on property owners.
- **Dave Mulhagen, 3405 N. Hydraulic**, Clear Channel Communications, was in favor of a moratorium a year ago. If individual businesses had the right to sell a property it would be called a monopoly; City is a monopoly. City has said they (Clear Choice) can't update signs.
 - o Giving up too many rights with protective overlay.

The following are questions and comments from DAB members. Answers are in italics where applicable.

Council Member Gale introduced **Council member Sharon Fearey**.

Ed Koon asked if all property owners have been contacted pertaining to opting out? *Yes, sent notices to all property owners and sent again today with updated maps.*

Jim Benton, regarding the fence issue, is the alley considered a main road? *No.* Explained that as a neighborhood, they were able to get the situation overturned. Is this something they can do? *Yes. Official and unofficial petitions can be submitted.*

Ed Koon, concerned about placing restrictions on businesses Delano doesn't want in their neighborhood. Doesn't see anything unique enough in Delano to restrict the uses on their property. Doesn't think the letter conveys the opting out option clearly. Thinks they should opt in instead of out.

Jerry McGinty is giving someone two weeks notice to opt out enough time to make an informed decision? He doesn't think they should vote on the topic.

Wayne Wells, everyone is an individual and all have a right to their opinions. He appreciates both the positive and negative comments. He thinks it's time Wichita starts to improve the neighborhoods. This process is now down to public hearings. He has lived in Delano neighborhood since 1968 and has watched it go from a decent neighborhood to a poor neighborhood. Delano will raise it's own money to help each other. He feels the only way to do this is through the protective overlay. Please attend other meetings too.

Board Action: Disapproval was recommended until further public input and public notification took place by a vote of 6:1 (Koon/Crandall – Wells voted against).

The Board broke for ten minutes. The meeting resumed at 9:05 p.m.

Dave Barber noted official, two-page notices explaining the opt out option and seven maps were sent today, September 4, 2002.

Board Agenda

- 4. Proposed City Council Redistricting – Jack Focht**, Chair of the redistricting committee, presented committee's recommendation as approved by the Commission of Electors. The recommendation is scheduled for City Council review on September 30, 2002. **Irene Armstrong, 1109 Greenfield** was appointed to represent District IV on the committee. **Jeanne Goodvin**, Special Projects Coordinator, staffed the presentation.

Focht explained the committee is made up of one at-large chair and six appointed members, one from each district. They had to operate under the guidelines of the City Ordinance which says everyone's vote has to count equally, based on census tracts. The average number of citizens per district was 59,224. He explained not all the districts grow equally. District 1 has been blocked growth wise by Bel Aire and Kechi. District II goes almost to Andover. There is a huge disparity (about 19,000 people) between the district with the most and the district with the fewest people. The committee also had to project ten years into the future, follow election precinct lines, avoid partisan data, and maintain the integrity of the broadly cohesive community. They tried to make as few changes as possible.

Focht outlined changes, subtractions and additions. District I is the largest as it has no chance to grow. District II will be small in number as growth is still taking place in that direction. District III has 60,395 proposed. It does not have much room to grow. District IV was given 59,968, which is in upper half in terms of numbers. District V is the smallest as it is the fastest growing.

The following are questions, concerns, and comments from citizens. Answers are in italics where applicable.

Gary Gibbs, 1024 W. Maywood, what is the timetable for Council approval? *By September 30th, to present to Council. The Council votes in December after public hearings.* **Council Member Bill Gale** introduced Steven Banks from the Metropolitan Area Planning Department.

Jeanne Goodvin noted this information will be online September 5, 2002 and more chances for public input are up coming.

June Bailey, 334 N. Baehr asked how many neighborhoods were split the last redistricting? *Don't know.* The Neighborhoods were never spoken to. What about this year, how many were split? *Don't know, most were South of Kellogg between Districts II and III and they moved to III. Two are split between Districts IV and VI.*

Orchard Breeze will now have two Council members, which can be bad because volunteers have to attend two meetings. Could you explain why District IV goes so far west? *Because it has to pick up property somewhere and the committee had to make tough decisions. District V felt like Maple or Kellogg would be a natural dividing line.* **Bailey** voiced concerns that Douglas doesn't go all the way through. **Focht** said the committee was open to ideas and solutions. *If you move one precinct, then you have to move them all.* Was income a factor? *No, that is not permitted.* June asked about how many Neighborhood Associations are left in District IV? Five. She doesn't see how this is building community. Orchard Breeze will now have to go to both DAB's about flooding? **Council Member Bill Gale** announced that flooding will be addressed in 2 weeks. Not all flooding will be taken care of. How do they get a voice on DAB VI? How hard is it to change precincts? *See Election Commissioner.*

Council Member Bill Gale spoke to June and told her about Enterprise School and how DAB helped regardless of what district people live in. Worked with **Council Member Fearey**. He encouraged attendance at the September 18th DAB meeting.

Council Member Gale thanked DAB VI representatives for showing up. He explained the drainage project to be discussed September 18 will be the first step to West Street drainage and finding the ultimate solution for it.

Mary Beth Hughes Palm, 357 N. Baehr - 1st DAB meeting, one of the reasons she moved to Orchard Breeze, because of active nature of the citizens. Urge DAB to look at the big picture. And urged DAB to protect the integrity of the Neighborhood Associations that are thriving. Grateful for Delano power point and presentation. **Jack Focht** - Said City changes, as do the Neighborhood Associations.

B.J. Havens, 239 N. Tracy - Lived in Orchard Breeze for 20 years, worked hard to make sure everyone in the Neighborhood Association is notified of what is going on. Against cutting neighborhoods in half. **BJ** - All she wants is to be heard.

Mike Ward, 4329 W. 2nd - Nothing to do with Council people, splitting halves the voice and doubles the effort, suggested moving District VI South. **Jack F.** - Public Hearing for Redistricting at City Hall at 11:30. **JF** - Please provide alternatives. **Sharon Fearey** - Looks like we could move 403 and give her 629. they'll look into it.

The following are questions and comments from DAB members. Answers are in italics where applicable.

Jim Benton - How will grants be distributed i.e. do they have to apply to both DAB's? Will DAB members be moved to other DAB boards if they are currently serving on a DAB and are moved to a new district? *Details have not been determined.*

Iola Crandall - May have to split Sunflower Neighborhood Association with the new district boundaries. They have discussed this before in the past.

Wayne Wells - Representation is a concern. He understands someone has to volunteer. He thinks they should have DAB member for each Neighborhood Association. Thinks Orchard Breeze should be able to have representative on both DABs.

Ed Koon complimented the committee for doing an excellent job. His experience with things that look like adversity at first, always works themselves out in the end.

Recommended Action: Provide comment.

Neighborhood Matching Grant Training - Aaron Hamilton, Neighborhood Assistant updated the DAB on changes to the Neighborhood Matching Grant. Changes include what the grant can be used for and how to score applications. Materials were distributed to all members for future reference.

Recommended Action: Receive and file.

Announcements

Officer Anthony Bamburger - Just returned from Georgia where he attended a "Crime Free" training. The program is already implemented in Wichita and can now be expanded thanks to the new training. Southwest Neighborhood Association meeting is September 24th.

Officer Richard Mellard – The Identi-Child program is now online. There are a total of four, one for each station. Eventually the station will have a day set aside for this.

Officer Seiler - Still concentrating on the drag racing problem.

Iola Crandall - Will meet on September 5th with the Independent Living Center about construction on 2nd street.

Bea Vickers - Southwest Neighborhood Association meets at Osage Park on September 24th at 7:00 p.m.

Ed Koon - None.

Wayne Wells – The Delano meeting will be September 12th at 6:00 p.m. September 26th is the Metropolitan Area Planning Commission meeting where they will discuss the Delano Overlay.

Jerry McGinty - None.

Jim Benton - Todd Tiahrt was at the last Southwest Neighborhood Association meeting. There will be an Ice Cream Social on September 21st at Wildwood Park. Their next meeting is September 10th.

Rex - None.

Tom Kessler - DAB III had over 150 people at their meeting. They discussed the new housing development between 43rd and 45th streets, just West of Hydraulic. He explained all houses currently there are on half-acre lots. The proposed development would put 900 square foot houses on 50 foot lots increasing the density dramatically.

Council Member Gale – Noted a citizen was concerned about losing **Officer Mellard** because he's done such a good job helping the neighborhood. He asked for volunteers to work with the Chamber of Commerce. **Bea Vickers** will be working on Sedgwick County Character Coalition.

The meeting was adjourned at 10:30 p.m.

Guests

Ray Rancuret	232 S. Millwood	Eldon Freund 1700 Maple 67213
Morris Dunlap	415 S. Main	Ron Pastore 555 W. Douglas 67213
Irene Armstrong	1109 Greenfield	Toni Tempe 1113 W. Douglas 67213
Patty Collins	502 N. Walnut	Bob Hine 1402 N. Doris Circle 67212
Rosalie Bradley	1401 Julianne	Sabrina & Charles Parker 440 N. Seneca
Pay Ayars	2008 Timbercreek Circle	Rex Gray 623 N. Tracy
Dave Wells	741 W. 2nd	Jim Martinson 917 1/2 W. Douglas
Bob Thurman	711 W. Douglas	Tim McCulloch 917 1/2 W. Douglas
B.J. Havens	239 N. Tracy 67212	June Bailey 334 N. Baehr 67212
Gayle Werner	4329 W. 2nd 67212	Julie & Mike Ward 4329 W. 2nd 67212
Mary Beth Hughes	Palm 357 N. Baehr 67212	Tony Heilman Douglas & Seneca
David Pondergraft	DAB VI	Kim Edgington Austin Miller Inc.
Gary Gibbs	1024 W. Maywood 67217	Ben Pfister 203 N. Handley
Julie Newton	224 N. Clarence	Doug Schar 224 N. Clarence
R. Hughes	711 W. Douglas 67201	David Mollhagen 3405 N. Hydraulic
Cory & Carrie Boer	246 N. Clarence 67203	Mark Wasinger 3031 S. Seneca

Tara Stout

510 Hendrix 67213